Defoe (Daniel) (24)

A SEASONABLE CAUTION TO THE General ASSEMBLY, IN A LETTER FROM A Member of PARLIAMENT OF *NORTH-BRITAIN*, TO A Miniſter in *SCOTLAND*;

Occaſioned by

The Houſe of LORDS Reverſing the Sentence of Mr. *Greenſhiels*.

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A

Seaſonable Caution to the General ASSEMBLY.

IN A

LETTER

FROM

A Member of Parliament of *North Britain*, to a Miniſter in *Scotland*: Occaſioned by the Houſe of Lords Reverſing the Sentence of Mr. *Greenſhiels*.

Reverend Sir,

I make no Queſtion, but the Firſt Accounts you will have of what has paſt here, in the upper Houſe of Parliament will be very ſurprizing both to you and many others, and the more ſo for two Reaſons.

Firſt, The Miſrepreſentations and Agravations, with which thoſe People tell the Story,

who either to make their Triumph over you the greater, or to encreaſe your Diſorder, at the News, have given a moſt unfair and falſe Account of it.

Secondly, The Apprehenſions and Fears you may have of the Conſequences of it, and of the farther Impoſitions of this kind, which may follow.

For this Reaſon I thought it might be Uſefull, to enter a little into the State of things with you, by way of Letter, and to Enquire or rather Conſider, what is the proper Duty of us and our People in *Scotland* who have the Intereſt and Liberties, both of the Church, and People of *Scotland* moſt at Heart. What is beſt for us to do, and how to behave both with Reſpect to the *Government*, with reſpect to the *Church*, and with reſpect to *Our Selves*, and our *Poſterity*.

I make no Profeſſions here of my Sincerity to, and Zeal for the true Intereſt of the Church of *Scotland*; I hope my Behaviour, in all paſt Occaſions, wherein the Church has been Concern'd, will Vindicate me, to thoſe that know me, and to thoſe that do not know me what I ſhall write on this Occaſion ſhall ſpeak both for it ſelf and for me.

I am far from Deſiring, that any Man ſhould Abandon the Intereſt of the Church, I wiſh ſome who Profeſs an extraordinary concern at this thing, now it is paſt, had Appeared more Concern'd to prevent it, when it was in their Power; and not Contented themſelves with a Superficial light Oppoſition, hardly enough to juſtifie their ſaying they Oppoſed it, when a Faithfull Vigorous withſtanding this unjuſt Attempt had not been their duty only, but was a debt to their ſacred Promiſes when in *Scotland*, and might perhaps have been effectual to have warded of this Blow, the Conſequences of which, I doubt they will ſhew as little Concern to prevent as they did the Cauſe. I

I am not therefore perſwading any Man to Abandon or forſake the true Intereſt of the Church of *Scotland*, much leſs to give up any the leaſt of her Priviledges and eſtabliſh't Rights; leaſt of all, would I have you either Diſponding or Diſcouraged in the Apprehenſions of your *C*aſe being Abandoned and Deſperate, given up to your Enemies, or they ſtrengthened to Inſult and Invade you.

Yet on the other hand, I ſhould be very Sorry to See Raſh and Hot Meaſures, Furious Reſentments, and Violent Tempers Run you out to any Steps, that either may widen this Breach, or ſeem to lay more ſtreſs upon it than the Nature of the Thing calls for, and the Main Reaſon, I will not ſay the only Reaſon is, becauſe I would not give your Enemies the Advantage againſt you, that generally are the Effect of Raſh and Haſty Reſentments, or Expoſe your ſelves to the Cenſure of thoſe who Boaſt ſo much over our Country Men, for the Violence and Ungovernd Fury of their Zeal.

In order therefore to find out the ſafe and middle Way, which the Friends of the Church of *Scotland*, and thoſe that love and regard her Intereſt, ought to take in this nice juncture, I ſhall enquire into, and ſtate the Several Particulars of this matter, as Impartially as I can.

When the Appeal of *Greenſhiels* againſt the Sentence of the Lords of Seſſion, and Magiſtrates of *Edinburgh*, Firſt came into Debate, in the Houſe of Peers. The firſt Queſtion which came to be debated in that Houſe was the Legality of the Appeal.

It is too true a ſaying, that *Abſence Expoſes to Injury*, and I confeſs I have often thought, there ought to have been ſome Agent from *Scoland* there, to have Vindicated the Rights of the Church of *Scotland*, and to have pleaded againſt the bringing a Sentence of the

Church

Church of *Scotland*, before a Civil Judicature of any kind. The ſaid Church having a Soveraign Judicature of their own, in which the Queen being always preſent by her Commiſſioner, Matters are Determined without any Appeal, except to the Bar of *Heaven*: For every Court where the Queen is preſent, in ſuch a manner, is a Soveraign Judicature; and the Peculiar of a Soveraign Judicature is this, That it admits of no Appeal; for to Appeal from it to the Houſe of Peers; is to Appeal from a Soveraign Judicature, to a Soveraign Judicature, which is Inconſiſtency and Nonſence.

There was a Noble Lord of our own Country, and one of our Sixteen, who took much Pains to prove, That our Church notwithſtanding the Union, the Act of Security, or any other or former Authoritys, Acts of Parliament, or eſtabliſhed Priviledges was entirely ſubject to the Goverment of the Civil Power, That the Supremacy of the Crown, in Caſes Eccleſiaſtick was never Repealed or Deſtroyed in *Scotland*: And much Pains his Lordſhip took to bring it in the Power of the Houſe of Peers, to Determine of all Matters relating to Our Church. The Deſign was evident (viz.) That by the ſame Rule it lay in the Power of the Houſe of Lords to Alter, Change, or Turn the Government of our Church, from Epiſcopal to Preſbyterian, and from Presbyterian to Epiſcopal, as they ſhould find Cauſe.

But this Noble Lord's pious Endeavours did not Succeed according to his deſire, and the Houſe made no Motion that way.

As to the Caſe before them it was judged after ſome Debate, That the Appeal was regular and that the Houſe of Peers, had a right to take cognizance of that Affair: I do acknowledge there ſeems ſome difficulty to us, who live in North Britain, about the

juſtice

juſtice of any Court determining for themſelves, Whether ſuch or ſuch matters come under their juriſdiction or no, ſince no Court will, or but very rarely Vote away their own Power.

I mention all this for this Reaſon, That you may take notice, that although the Lords did paſs it in the Affirmative, in favour of their own Power, that the Appeal did lye before them: Yet they did it, not as *an Eccleſiaſtick* but as *a Civil* cauſe. So that the Queſtion, Whether an Appeal Lies from the General Aſſembly, or from the Church Judicatories of the *Church of Scotland*, to the Houſe of Peers, a Queſtion on which all our *Church* Priviledges depends, has not in the leaſt been concern'd in this Affair, but remains as much in Queſtion as it did before.

This I thought neceſſary to hint, in order to quiet the clamours, and make Eaſie the Minds of ſome well meaning, but raſh People, who think and have been too forward to ſpread it about, That the Houſe of Lords have taken cognizance of the Proceedings, or reverſt the Sentence of the *Presbytry of Edinburgh* in the caſe of *Greenſhiels*, and conſequently have by their Precedent ſubjected entirely the church Judicatories of *Scotland* to the civil Juriſdiction.

As, ſuch a *Thing were it true*, would juſtly Alarm us all, and give us good Reaſon to Fear the Overthro' of our Eccleſiaſtick conſtitution, ſo nothing is of more Pernicious conſequence, and more deſtructive to our Peace, nothing can better gratify, or indeed ſerves the Intereſt of our Enemys, than to have our People amuſed with, and Impoſed upon to Entertain ſuch a Report, when as in truth, there was no ſuch Thing Tranſacted in the Houſe, nay that rather by the Proceedings, there ſeems to be a tacite Conceſſion to what we all claim (viz.) That Appeals from our Church Judicatories will not lye to the ſaid civil Power, and

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that the Houſe of———— are not competent in the caſe.

Upon the rightly ſtating this Queſtion, much of our preſent concern about, and Uneaſineſs at what has happened will depend; And therefore, it is the more ſtudied by our Enemies to be concealed, and the contrary to be Suggeſted.

The Party who triumph in this Victory, are mighty willing to have it called a Victory over our Church, and to Poſſeſſes our People That the Sentence of the Church againſt *Greenſhiels* in this *C*aſe, is Effectually Reverſt, That the Epiſcopal People have from hence a Tacite Unlimited Liberty to ſet up what Forms of Worſhip, and bring in what Innovations they pleaſe, and that the *C*hurch Judicatories are hereby Forbidden to meddle with them, an Article which would by the ſame Parity of Reaſon Diſarm the Diſcipline, and Unhinge the *C*onſtitution of our *C*hurch.

And the chief Reaſon that I can See, why they ſtrive to make this paſs for *C*urrent among us, is That they may provoke, Exaſperate, and Puſh on the leſs prudent part of our People to any Diſorders and Violent Methods of Expreſſing their Reſentment.

But when it ſhall be ſet before the good People of *Scotland*, That our *C*hurch Judicatories ſtill remain Untouch't, That the Houſe of Lords notwithſtanding the Mock Oratory of my Lord B———and the warm Endeavours of ſome others of our *C*ountry Men, to perſwade them to fall upon us, have yet been ſo far from touching upon the Sentence of the *Presbytrie*, That they did in a Manner own they had no Power to take *C*ognizance upon that Point, and therefore that when a Motion was made to that purpoſe it was rejected: When theſe things come to be conſidered by them, as the Triumphs of the one ſide will be greatly Leſſened, and their hopes of making us Deſperate be Diſappoint-

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ed; So I hope the Uneaſineſs of our Friends will be much abated, and they will ſee, That as all is not loſt that is in hazard, ſo what theſe People have gotten in the Victory they boaſt of, is not of a Conſequence equall to the Shouts and Rejoycings, they have made for it.

It is true, and I am very ſorry for it, That the Reverſing the Sentence of the Magiſtrates, and of the Lords of Seſſion in this Caſe, is a taking off in ſome Meaſure the Edge of the Sentence of the Church, in ſo far as the civil Magiſtrates are of themſelves backward enough, and it's probable may now be more backward, to put in Execution the Cenſures and Sentences of the Church, as being diſcouraged in the doing their Duty by this Reſolution of the Lords.

But I ſee no Reaſon why this ſhould by the Conſequence of ſuch a Thing any more than the Lords of the Seſſion, or the Lord Chancellor in *England* ſhould be backward or diſcouraged in purſuing their Sentences and Decrees in other Civil Matters, becauſe They are liable to be likewiſe revers'd in the Houſe of Lords.

It is no queſtion the Duty of the Magiſtrates according to the Act of Parliament in that Caſe, Entituled, *An Act to oblige the Civil Magiſtrates to put in Execution the Cenſures and Sentences of the Church*, to ſtand by, and Support the Indicatories of the Church with their Authority according to Law; and they are as much under an Obligation to do it now as ever, nor could the Magiſtrates anſwer it, not to do juſt the ſame thing a *Second* and a *Third* Time if Circumſtances concern'd, and the ſame offered tho' by an Appeal the other Party ſhould every time obtain a Reverſe of their Sentence in the Houſe of Lords; And if this were Offenſive, ſome new Act muſt be made in Parliament to Limit and Direct the ſaid Magiſtrates in ſuch

a caſe, but till ſuch Law is made, the preſent Law is in Force and binds them to the ſame Duty as much as it did before.

This therefore is to be obſerved, That the Peers of great Britain having conſidered the Commitment of *Greenſhiels* and Reverſt it, does not at all diſable and conſequently ought not to diſcourage any Magiſtrate from acting in their Station according to Law, it only Extends to this particular Caſe in which, whether ſome Omiſſion, ſome Slip or ſome illegal Step has been made is not for me to Examine here, their Lordſhips not ſuffering their proceedings to be printed, or Examined in print by any Body: But if in another Caſe which may come before them, ſuch ſlip or Omiſſion or illegal Step can not be found, ſuch other caſe will receive no Prejudice from this.

This hint I think needfull on many Accounts, as well to quiet the Minds of our People in *Scotland*, who may be Impoſed upon, whether by their own Fears, or by the Artifice of others to think, That not only the Church Judicatories have been Attackt, and their Sentences Reverſt in theſe Proceedings, but that the civil Magiſtrate is hereby diſabled from any farther ſhare in the Executive Power and is effectually diſcharg'd from concerning himſelf in putting thoſe Cenſures and Sentences in Execution.

There is no Queſtion but the Party who have ſet *Greenſhiels* to work, and have from the beginning encouraged and ſupported him would be very willing to have us take Things in this Senſe, becauſe they hope it may tend to the Enraging and Exaſperating ſome Spirits among us, who may be forward to take wrong Meaſures, in this caſe, upon ſuch a Suppoſition.

But as they are miſtaken in the thing it ſelf, ſo I hope they ſhall be diſappointed in the deſign, and the warmeſt of our Friends, I doubt not will ſee reaſon to

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calm themſelves ſo much, and Preſerve their Temper in this caſe, by how much it is plain, they have loſt no Legal Power that they had before, nor are the Magiſtrates at all the leſs Empowered to put the Laws in Execution, by this Proceeding than they were before.

I am not going about to Examine in this caſe, whether the Houſe of Lords have done us juſtice or no: There is perhaps no ſentence of any kind confirm'd or reverſt but the Perſons who loſe their cauſe, are apt to ſay or think they have not juſtice done them, and if I am askt my Opinion, perhaps I may think ſo in this caſe, eſpecially what had been done having been Approved as Law, by our Higheſt Court of civil juſtice, and by the Act of our *Privy Council*, when we had one. But I am not enquiring now into what Injury we have received, or whether we have received injury or no; But into *What is next for us to do*, What is before us, and how we ought to behave, after this Surprizing Event, both the Supporting our Rights, Diſcharging our Duty, and Diſappointing our Enemies, who wait for our Misbehaving our ſelves, with Eager Hopes of making ſome advantage of our Uneaſineſſes.

The firſt thing therefore in order to our regular Conduct in this Affair, is to Examine ſpeaking of the Church; Have we loſt any of our Rights? Are the hands of our Diſcipline weakned? Are any of our Fundamentals Invaded? And have we received any real Damage?

This Queſtion ſeems moſt proper to be firſt decided, becauſe ſo much of the fears of our Friends depends upon the Affirmative of this Queſtion.

I make no ſcruple therefore to anſwer in the Negative, and that directly; And to make this out I ſhall prove,

1. That

1. That no Law is repealed, by which the Power of the Rights of the Church were Eſtabliſhed or ſupported, ſo by the way Reverſing a ſentence, is not repealing a Law.

2. No Power is taken from the Church, by which it had either it's Diſcipline or Government ſupported; And if any Man Invade you in your juriſdiction, you have the ſame power which you had before.

The whole of this Matter is, there SEEMS to be a tacite Prohibition of the Magiſtrates from the like Proceedings: I ſay, SEEMS, for it is no more, and as I ſaid before, if the ſame Invaſion of their Diſcipline and Goverment be made, they ought to do every Legal thing to ſupport and maintain it, which they have done already, and if the Perſon be aggrieved he may as the other did, appeal. The Lords, it's true, may indeed reverſe again, and to theſe Renewings, Pleadings, and Appeals will ſeem to have no end.

I Anſwer, yes, They will have this End, you have your Method of Juſtice preſcribed by a Law; Till that Law is Repealed, tho' the Lords were to Reverſe the Proceedings every time, yet you muſt go by the Rule preſcribed, and in time perhaps the Judicature of Peers will offer ſome Law to regulate theſe proceedings, that we may know how far our Liberty may be aſſerted, and how far not.

And the Reaſon lies here,

The Proceedings of the Church are bound by the Laws, *Firſt*, of God, and *Then* of the Nation; The Diſcipline and Government of the Church are founded, *Firſt*, on the Laws of God, and are *Then* Eſtabliſht by the Laws of our Country, which Laws are ſecured, and recor firm'd to us, by the Union, and the Act of Security, made alſo a part of that Union.

Now

Now the Lords having not at all meddled with our Church Sentence, as having no Juriſdiction over the Eccleſiaſtick Judicatories of *Scotland*, which are reſerv'd from them by the Treaty; *It muſt be then*, that if the Lords diſlike the manner of the Civil Magiſtrates putting in Execution the ſaid Sentence of the Church, which by Law they are obliged to do, they muſt *and no doubt in time they will* conſider of a Law, to direct the Magiſtrates, how and in what manner they ſhall do their Duty in this caſe; And till they do ſo, the Magiſtrates ſeems to me, obliged to go on in their Duty, as if no ſuch Reverſs of the late Sentence againſt *Greenſhiels* had been paſt.

Having thus lay'd down the Premiſes, I draw this Concluſion from them,

1. We have nothing to do then, but to wait, till ſuch a Law ſhall be offered at in the Houſe, then we ſhall have Room to declare our Rights, ſhew our Claim and have a fair hearing for what we ſhall demand, and the Union will be the Teſt, by which the Authority the Lords have in this caſe ſhall be tryed.

2. All the Pretences thoſe Gentle-Men have, for Enflaming and Exaſperating our People to fall upon *Greenſhiels*, and his Party; If he renews his Attempt, are taken away; For by this Rule *which I am ſure is right*, if he makes the like Attempt, he muſt go the ſame way, to the ſame place, and be delivered by the ſame Method, as he was before; and ſo to the end of the chapter, till the Parliament ſhall think fit to repeal the Law, which obliges the Magiſtrates to put in execution the Sentences and Cenſures of the Church, for a Law remains always in force, till it is repealed by the ſame Authority which made it, and that will be hard to be found in this caſe.

3. All

3. All ground for our Fears and Diſorders ceaſe in this very Principle, for while your Laws are the ſame, and are not at all enervated, or weakned by this Decree of the Houſe of Lords, then we have no more occaſion to run into Exceſſes, Violence, or popular Heat, than we had before.

Doubtleſs it is our buſineſs to wait, and *look on*, to ſee what the Enemies of our Peace will do, ſee what uſe they will venture to make of this ſuppoſed Victory: If they think by this that they are Tollerated to Inſult the Church and Ruffle the Magiſtrates, contemn the Authority of the Laws, and Defy the Executive Power of the Magiſtrates; you may ſtill in a legal way let them ſee they are miſtaken, and if they are tyred of being annually ſent up to the Houſe of Lords for Redreſs, they muſt get a Law made, to authorize themſelves to go on their own Way, if they can, againſt which Law, no queſtion but we ſhall be heard.

Thus, *Reverend Sir*, I think all our Fears, and the ſurprize of this matter may fall to the ground, and we have no reaſon to think of any violent Meaſures.

I know we are repreſented in the World as a Furious, and Ungovernable People, and it is remarkable that theſe People who are forwardeſt to caſt that reproach upon us are the forwardeſt alſo to try all poſſible ways to provoke us, puſhing daily at our conſtitution, and urging us to theſe Violences they would lay to our Charge, as the native Crime of our Peoples Temper, and we are not without Teſtimony, how much rather they would have *Greenſhiels* diſturb'd by the Mob, than by the Magiſtrates, by the Flame and Fury of the Street, than by the ſoft Fire *of the Law*; and how much they appeared diſappointed that they could not raiſe Fermentation enough in the People, to bring it to paſs; which

which they would have made their uſes of, and their Advantage over us would have appeared many ways; But the Wiſdom of Providence directed otherwiſe, and we thank God with much Reaſon, that they have been diſappointed

It is true, that had our Exaſperated People took Fire, upon the juſt Provocations, given them in that Caſe of *Greenſhiels*, the Crime had received much Alleviation in this South Part of the Iſland, from the Example of a Party here has ſet to their Brethren, where without any Provocation on the ſide of the Diſſenters, the Rabbles that were raiſed by the Friends of *Dr. Sacheverel* fell upon the Meeting-Houſes, and ranſack'd and demoliſhed them, and committed the accuſtomed Violences, that makes ſuch Things really odious to all the Lovers of a Legal Conſtitution.

And I name this the rather, for that it may not only let thoſe People ſee what their Friends practiſe has been in like Caſes; but to let us all ſee how Deſtructive Mobs and Street Violences have always been, and ever will be to the Party that put them in practice, ſince thoſe very Tumults, tho' they alarm'd and ſurpriz'd the Diſſenters very much for the time, yet they had the Satisfaction of ſeeing them condemn'd and diſown'd both by her Majeſty, the Parliament, and the Publick Juſtice of the Nation; and not only ſo, but thoſe very Mobs, and that Tumultuous Method of that Party, has tended to their own Diſadvantage; the length that Dr. *Sacheverel* and his Abbettors went in that part, having procur'd him a general Neglect and Contempt among the very People who were otherwiſe for him, with whom he now grows a forgotten abandon'd Thing, not fit to be encouraged.

Nor could the Laws do leſs then Condemn the Exceſſes of the People in this Caſe, and therefore thoſe unhappy few that fall into the Hands of Juſtice, were

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of course sentenced, some to Fines, some to the Service, and others to Death, tho' her Majesty in Compassion to the poor misled Wretches, was pleased to remit that Severity.

From hence 'tis evident, that none but the Enemies, even of *Sacheverel* himself, and of his Party, could be the Prompters of those Tumults; since, on the other hand, it was Effectual to the Breach of the Nations Peace; so it was the readiest way to ruin both him and his Interest, and for this Reason, as was plain to the Government, the Reproach of those Tumults was justly thrown upon the Jacobites, Papists, Non-jurors, and Enemies to her Majesty's Person and Government.

The same Interest, and the same Party in *Scotland*, would rejoice to see this honest People provoked to fall into Excesses of the like Nature, as what they know would be infinitely to the Disadvantage of the Presbyterian Interest, and might in time be improved to their Destruction; and for this end was the Project of setting of this despicable Tool of Innovation, set on foot, as is apparent from the Manner of Beginning, Carrying on, and Concluding it.

It was evident from the Connivance, and Gentleness of the Presbyterians in *Scotland* to the Episcopal Party, how many of the Episcopal Assemblies are at this day suffered, in many of which and in all that they think proper, the *English* Service-Book has been set up; yet they have received little or no Disturbance, and they knew that had *Greenshiels* thought fit to go on, as they did, he might have been wink'd at as they were; the Church having for Peace Sake, and to take off the Clamours, and pretended Complaints of their rigid Temper, which had made such Noise in *England*, chose rather to receive than resent an Injury.

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But this would not answer the end, which was to embroil, and enrage us, and therefore they made this Attempt, *viz.* to Demand that of Right, which before they were content to receive as *a Favour*.

This they expected would have been received as the Nature of the Insult required and as the manner they went on indeed deserv'd, *viz.* with Resentment, and there wanted not Emissaries to go privately about, to endeavour to bring the People to do themselves Justice in an Extrajudicial Way.

But Providence intervened, and we wanted not Men of cooler Thoughts among us, who seeing the Design, disappointed it, by procuring the Address or Petition of the Inhabitants to the Presbytery, and afterwards to the Magistrates, to suppress this Insult by the Calm, and leisurely Proceedings of the Law.

And why else, if Tumult and Riot had not been the Design, did they industriously spread abroad Reports, that the Queen would support them, that they had her Majesty's Authority, that it was at the Request of the English Officers in the Customs, Exchequer, and the like, which was the only way to make our People believe that no Civil Power would intervene, that we could not expect any Redress from the Government, and to intimidate us from applying to the legal Courses usual in like Cases, and with all to render the English Gentlemen in general odious to the People, as the Causes of an Invasion upon their Church; all which it is plain were Delusions, and forged Pretences, her Majesty having in the first place immediately disown'd

the whole Design, approved the Proceedings of the Presbytery and Magistrates, and given redoubled Assurances to both of her Gracious Resolution to maintain the just Rights and Liberties of *Scotland*, and to encourage no Innovations or Invasions upon the Church: On the other hand the English Gentlemen, Officers, *&c.* who had at first (not knowing the Design) come into a Proposal made by *Greenshiels*, for setting up a Meeting House, *&c.* as soon as ever they saw into the Design, abandoned the Party, and Cancelled the Subscription they had begun; those Gentlemen tho' they were of the Church of *England* in their Judgments, yet knowing better their Duty to God, and the Queen, than to be made Tools to disturb the Peace, or to cover an Attack upon the Laws, the Stipulated Constitution of the National Church, of which their Sovereign had declared her self the Protector, and Royal Preserver.

This tho' it may seem a Digression, is useful to let our People see of what mighty Consequence, how useful and indeed how necessary it is, and has been to the Enemies of the present Establishment of *Scotland*, to bring our People if possible into Tumults, and Heats, that they may take hold of it, to ruin our Church, overturn our Constitution, and at last destroy both.

The Argument form'd upon this Discovery, is in short this.

As it was the great View of that Party to put us out of the Government of our selves in the beginning

ning of this Attempt, ſo it appears that they aim at the ſame thing in every part of their Proceeding ſince.

As a publick Diſturbance, Breach of the Peace, and Diſorder of the People, then, would have been many ways ſubſervient to the other Deſigns formed by our Enemies againſt the Peace, and againſt the Eſtabliſhment of the Church, as well as the State in *Scotland*; *So it would have the ſame or much worſe Effect now.*

As all Diſorders, Heats, Animoſities, and Exceſſes, would then have been deſtructive to the publick eſtabliſh't Peace, both of the Church and State; and would ha' been improved to the Diſadvantage of the Presbyterian Intereſt in *Scotland*: *So it will now.*

As the Moderation, Temper, and Juſtice, with which the Presbytry of *Edinburgh*, the Magiſtrates of *Edinburgh*, and the Lds. of the Seſſion, in their reſpective Judicatories proceeded in the Affair of *Mr. Greenſhiels*, both in Citing and Sentencing, as alſo in Executing and Confirming that Sentence, has been an HONOUR to the National Juſtice of *Scotland*, SATISFACTORY to their Soveraign, a VINDICATION of them againſt the Slander raiſed againſt them, of being Furious in Zeal, and Tumultuous in their Reſentment and a Compleat Diſappointment of the Deſigns of their Enemies, who aimed at Embroiling the poor abuſed People with the Government; So it will be now.

I need not Enlarge here upon the Natural Inferences from hence (*viz.*) That it is our Intereſt, with Calmneſs and Prudence, to wait and give our Enemies no advantage over us by our unſeaſonable Reſentment of Injuries, by our being more apprehenſive than we need to be of their Power to do us farther harm, and by our being too much Allarm'd at the Conſequences of what has happened, much leſs by breaking out into Violences, Breaches of the Peace, and Tumultuous doing our ſelves juſtice, in caſe of farther Invaſion of our Rights, as if by this Action of the Lords, we were ſhut out from the due Reparation of the Law, and being not to expect juſtice from the Executive Power, were brought to the Neceſſity of doing our ſelves right, in a Summary way by Riot and Rabble.

This would be to fly in the Face of the Law, which is our Protection, and of the Queen, who is our gracious and Soveraign Protector, we have her Majeſty's Sacred Promiſe to protect the Church of *Scotland*, in all her Rights and Priviledges, *According to the Union*: Nor are we affraid of any ambiguous Conſtruction of that word, *According to the Union*, we know our Rights and Priviledges are *According to*, and *Eſtabliſh'd by the* UNION, and the Union is ſo Explicite in that Eſtabliſhment, that we are not to be frighted with Explications: *But that is by the way.*

Her Majeſty I ſay is the gracious Protector of our Priviledges, as well Sacred as Civil; and is ſo to our Church, by her Royal Promiſe, as well as by the Title of being our Soveraign; But her Maje-

Majeſty is the great Protector of the Laws, the great Conſervator of the publick Peace, and ſpeaking with due regard to her Royal Dignity, is bound to declare againſt all publick Breaches of the Peace, and the Breakers of it: Could then our Enemies have prevailed with our People, to have fallen upon *Greenſhiels* in a Tumultuous mannner, according to what they promiſed themſelves, and to obtain which, they would gladly have Sacrificed him as a Tool to their farther Deſigns, and for which he is much their Debtor, if he had Eyes to ſee it; could they I ſay have brought it to this, they had then Embroil'd us with our Soveraign; Engag'd us againſt our only protection, and driven the Intereſt of the Church, and the Intereſt of the Government, to Daſh themſelves to pieces againſt one another: Then they had had their Deſire, and had nothing left for them to do, but to ſtand ſtill, Clap their hands, Cry, Hallo, and laugh at both.

But hitherto they have been diſappointed, and unleſs a judgement from Heaven Viſit us for our Chaſtiſement, they will ſtill be diſappointed; For we can not but ſee, if we have our Eyes open to our National Intereſt, that if their Hopes are built upon our diſorder, our Hopes by Conſequence which are founded upon the Laws, are depending upon our peaceable Conduct, and our adhearing ſtrictly to thoſe Laws, from whence our juſt Cauſe Draws at once both *Protection* and *Aſſiſtance*.

It is evident our Rights are Eſtabliſh'd by our Laws, and therefore by the Laws we are to expect our Defence and Protection; nay, here *by the Laws* we expect the Support and Continuation *of thoſe Laws*, for Legal Power is fruitful of its own Species, and propogates Legal Power; the Endeavours of our Enemies are not pointed ſo much at our immediate Relief by thoſe Laws, *tho' that is in their view alſo*, but at the Laws themſelves, could they prevail upon us in any degree, to break in upon *thoſe Laws*, which are our Security; they arm themſelves thereby with a juſt Pretence to obtain, IF POSSIBLE, ſuch Alterations, ſuch Additions, or ſuch Repealings of Clauſes, as may let them in upon our Eſtabliſhment: I ſay, IF POSSIBLE, becauſe I think, as we ſtand it is *not poſſible*, and nothing but our deſtroying thoſe Laws, or at leaſt the Intent and Meaning of them, by our ill Conduct, can make thoſe Alterations feazible. Hitherto the Laws are our Defence, and they have, *bleſſed be God*, defended us, and for this Reaſon it was that I inſiſted ſo long in the firſt part of this Tract, that all this Victory, which the other Party boaſt of, gives them no legal, and conſequently no real Advantage over us; for that our Laws remain ſtill the ſame, and the ſame Method remains open to the Magiſtrates, tho' their Sentence ſhould be every time revers'd, till ſome *New Law* ſhall be made to aſcertain the Meaſures of Juſtice, and the Methods of Execution in that Caſe; and how ſuch new Law ſhall be obtain'd, They may inform themſelves if they can.

Hither-

Hitherto I have pointed this Diſcourſe altogether at the Affair of *publick* Tumult, and Diſorder, ſuch as a Breaking the Peace, Mobb, Rabble, and the like; as if I ſeem'd either to apprehend ſuch a thing was the only hazard in this Caſe, or that it was the only view of our Enemies.

But there are ſome Exceſſes and Extreams, which may in their kind be as fatal to our Intereſt, and which perhaps are not ſo eaſie to prevent, as the Rabbles of the Street, and which would be not only as deſtructive to our ſelves, but every way as grateful to our Enemies; and *Theſe are* ſuch as may creep into our Church Judicatories themſelves, that may undermine our Harmony in our own Proceedings, divide us againſt our ſelves, and puſh us on to wrong Meaſures in managing our own Affairs.

Theſe are worſt Tumults than thoſe of the Street, require more Prudence to prevent, more Conduct to manage, and more vigour to ſuppreſs, than any Rabble or Tumult whatſoever. This is the only or moſt fatal Thing that can befal us, and therefore is the great Concern of every Man that has at heart the Good of this Church and Nation; and this is the Occaſion of my directing theſe Sheets to you who are A Member of the *General Aſſembly*. There is the Scene of Action; the Churches Theater, upon which all her great Intereſts are repreſented in Miniature, and her future Condition plac'd in perſpective, on the Breath of that Reverend Body Depends *under God* all her preſent Safety; and 'tis from hence all her Members take Life and Vigour, by her Motions they move, and by her Words

Words they ſpeak, what Temper this Aſſembly is in, the whole Church may be ſaid to be in, and what Temper the Church may be in, the whole People may be ſaid to be in.

The Members of this Aſſembly, if they conſider the Influence, they, and all the Miniſters of *Scotland* have, *and that very deſervedly too* upon the Common People, will not take it ill to be Cautioned at ſuch a time as this, to have a Care how by any wrong Step, any miſplac'd Word, any Looſe given their own Paſſions, the *poor People* at the ſame time miſtaking perhaps their Intent, *may be miſled.*

The Story of the Miniſter at *Glaſgow*, ---- *Up and be Valiant*, is too well known among us; in vain the honeſt peaceable Man proteſts he had no Thought of Exciting a furious Rabble to take Arms; *we all believe him*, but he that has Fire in his Hands ſhould be very careful how he goes near a Magazine of Powder, leaſt he blow up the Garriſon, while he thinks no Evil.

The General Aſſembly of the Church of *Scotland* are the Watch men plac'd upon the high Places of the Nation; if they give the Alarm, no doubt we ſhall all be rous'd, and it cannot be an unwelcome Caution, *eſpecially while Friendly given*, to take heed that no falſe Alarm be raiſed; nor is a falſe Alarm the only Danger, a *too haſty* Alarm has its Miſchiefs in it alſo, tho' not Equal to the other, yet in the Kind as fatal; the Centinel that fires before his time diſcovers for the Enemy rather than for his Friends.

As

As it cannot be the Intereſt of the Church of *Scotland* to have her Friends aſleep and thoughtleſs of her Danger, ſo to appear terrified at the Attacks of an Enemy, in which he has not been able to prevail, is to weaken our Hands in reſiſting, and Encourage them to renew thoſe Attacks, till they do prevail. The Party that has made this Attack (as they have often done) have amuſed themſelves, not us; they pleaſe themſelves, and flatter their Friends with the Noiſe of a mighty Point gain'd, whereas let them examine the Fruits of their Victory, and when they have caſt it up *ridiculus Mus*! what will it amount to? Have they gain'd an Inch of Ground? Have they taken away any one Support from the Church? Are they the better able in any one Article, unleſs you give up your own Strength to diſturb you? Have you any leſs Guard or Fence from the Laws than you had before? If They think themſelves ſtrengthened at all by this Victory, —— let us ſee what Improvement they can make of it; let us ſee what is the next Encroachment they will attempt upon you. In ſhort, they are wiſe enough themſelves to know they can make no Advantage of this Point gain'd, unleſs they can irritate, and puſh you on to ſome Indecency, ſome Irregularity, ſome Extravagancies, whereby you ſhould expoſe your ſelves to the World, render your ſelves obnoxious to the Law, or leſſen the Favour and Protection of your Sovereign towards you.

If in this they are diſappointed, the Boaſts of their Victory are vaniſht into ſmoake, and they can make no Impreſſion upon the Priviledges or Libertys of the Church of *Scotland*; All the advantage I can foreſee they can make of this, is, That the Man is delivered from the Sentence, or from any Parol, or Security

(had any ſuch been given) for his appearing to anſwer again: They boaſt indeed, that he will come down again to *Scotland*, and make another Attempt, to carry on the ſame deſign: If he does I hope you will not be at a loſs, what Courſe to take with him, but I am not of Opinion they have gotten ſo much by this Attempt, as to carry the jeſt on any further

Mean time our Buſineſs is to ſtand ſtill, and ſee the Meaſures they will take, we are upon the Defenſive, we have the Liberties and Priviledges of our Eſtabliſhment Settled by the UNION, and when they are Attackt, we are oblig'd to a legal Defence; No Man that has any Regard to the Safety, and Proſperity of the Church, can wiſh us not to Defend them: But let us not be Aggreſſors, let us not Gratify the Enemy ſo far, and Expoſe our ſelves to Merit that Reproach, which we ſay they have hitherto unjuſtly thrown upon us of being *Hot*, *Raſh*, *Furious*, and *Ungovernable*.

Perhaps it may be ſaid, theſe things are too General, let us hear what ye would ſay, pray Explain your ſelf, and tell us in what we may be likely to be thus *Hot*, *&c.* otherwiſe the Caution may be anſwered by ſaying it was needleſs, and to no Purpoſe.

I Anſwer, Though I do not ſay that as a Body you are likely to fall into the Snare lay'd, yet as I am well Satisfied *it is a Snare*, and that all Men have not the ſame Foreſight, Prudence, or Command of themſelves the Caution is nevertheleſs Seaſonable, and as all the Prudence, and all the well Government of our ſelves, is Neceſſary to Fortify us againſt a Waking Enemy; We cannot be too Vigilant, or too Wary to give them no Advantage.

As

As to the particular things in which we may give the Enemy Advantage againſt us, and in which our preſent Danger may be ſaid to lie, I conceive they are ſuch as theſe,

1. *Breaches among our ſelves*, Diviſions and Heats as to the proper Meaſures to be taken, and this more eſpecially at the great Meeting of the Miniſters, and the greateſt of its kind at this Time in the Proteſtant part of the World (*viz.*) the GENERAL ASSEMBLY. If Heats and Claſhing Opinions of things, ſhould break in upon you here, they not only will put the meeting it ſelf into unwelcome and unjuſtifyable Diſtractions; But the Confuſion will Unavoidably ſpread over the whole Church: You are at preſent Famous for the moſt undivided Church in the World, have the feweſt Opinions, Hereſies and Errours Broach't among you, the Uniformity of your *Doctrine*, *Diſcipline*, *Worſhip*, and *Government*, is the ENVY and WONDER of the Age; But if the Uniformity of your Councils and Conduct, with reſpect to the Civil Government of things is not adequate to the reſt, the Dangers to the whole are inconceivable. This may Embroil you on every hand, it may Embroil you with the Laws, with the Government, with your United Neighbours, with your Epiſcopal Enemies, with the Parliament, and *which would be worſe* with your Friends, and *worſt of all* with your Selves: Unanimity then is your preſent higheſt Intereſt, in the greateſt Con-

junction with your ſelves, you have need enough, of all your United ſtrength, to reſiſt your Aggreſſing and well Combin'd Enemies; But divided, every little Scoundrel will Inſult you, Intrude upon your Churches, Rabble your Miniſters, Invade your Diſcipline, and then Appeal to the Parliament.

2. *Raſh Meaſures of all kinds*, I am very loath to enter into particulars here, becauſe ſome of the things our Enemies promiſe themſelves from your Reſentments are ſuch as ought not to be once named among you, and I hope ſhall not; all the particulars I ſhall name, ſhall be contain'd in three Heads, which above all things I would Exhort your Bretheren in this Aſſembly to Avoid.

1. *Any thing Undutiful* or Diſreſpectful *to Her Majeſty*, who, as it is evident, has neither been concern'd in, or appears in the leaſt ſatisfy'd with the Attempts made, or the Succeſs of thoſe Attempts; and *from whom* your Enemies, though with all their Pretences of being of the ſame Profeſſion, and Principles with her Majeſty, could never obtain the leaſt Encouragement to attack you, or intrude either upon your Properties or Priviledges.

2. *Any thing* that may look like Encouraging the People to Fears and Jealouſies, either of their Government, or their Sovereign, as if Concurring in Deſigns againſt the Church of *Scotland* in General, much leſs to any thing Tumultuous and Diſorderly againſt thoſe that they may think are the Contrivers of it.

3. *Any*

3. *Any thing* that may ſavour of Deſperation, and abandoning the Care and Concern for the Safety of the Church, to which a legal Defence of your juſt Rights is your Duty, and by which thoſe Rights may be maintain'd, as if you were denied Juſtice, and conſequently muſt have Recourſe to exotick Meaſures for your Preſervation, a thing fatal to all that ſuffer themſelves to be ſo impoſed upon.

Great will be the Confuſion and Diſappointment of your Enemies, if none of theſe Things ſhould happen; from the Hopes of theſe Things they promiſe themſelves great Advantages, even in this Aſſembly; their Eyes are upon you, they watch for your halting, and they ſtand ready to take you at the firſt Slip you make; all their Agents and Emiſſaries are at work among you to raiſe Feuds, to fill the Peoples Heads with Fears, to foment Jealouſies, to make you believe you are given up to Deſtruction, and that the Government is reſolved to break in upon you.

Suſpend your Belief of theſe Things, and wiſely diſtinguiſh between a Party buſie to invade you, and the Governments Concurring to their Endeavours; that you have Enemies at work to undermine and overthrow you; that they hate and malign you, are envious and enraged at your Eſtabliſhment, and yet more at the late Incorporating that Eſtabliſhment into the Union; this no Body doubts; nor am I going to perſwade you otherwiſe, much leſs to adviſe you to be ſecure, and careleſs, as if it was for ever out of the Power of theſe Enemies to hurt you.

But

But while the Queen and the Government not only are Concerned in our ſafety, but while both give us repeated Aſſurances, that they will Protect us in the Enjoyments of our juſt Rights, and Encourage no Innovations or Invaſions upon us, *While this is our Caſe*, it would be the Wildeſt thing in the World, not to do all that lay in our *Power*, to Engage and Oblige her Majeſty and the Government, to continue that Favour and *Protection*, on which under God we ſo much depend.

This no way interferes with the ſtricteſt Adherence to every *Punctilio* of our legall Rights, it no way Inveſts us of our Liberty to defend our ſelves by Law againſt all the Enchroachments of our Enemies, nor will it at all weaken that Defence.

Laſtly, this will not only diſappoint our Enemies, and ſtrengthen our hands, by Engaging the Government in our Defence; But it will be the Glory of our Church, and the Honour of our Miniſters, as Men of Chriſtianity, as Men of Wiſdom, Men of Prudence, and Men of Temper, for ever removing the Reproach, which has unjuſtly been caſt upon us, and Convince the World That it has been an Unjuſt Reproach.

I may add this will Diſcourage the Expectations of our Forreign Enemies, in their hopes of Introducing the Pretender, Hopes raiſed upon a Suggeſtion, that the *Preſbyterians* were ſo Diſguſted at thoſe Proceedings, as the Conſequences of, and which we are ſubjected to, by the UNION, That they would readily joyn with

with any Body, that they might Expect would Diſ-ſolve it.

But if under all the ill Uſage of the Church, by her private Enemies, we appear Zealous for, and ſincere in her Majeſty's Intereſt; Calm and Compoſed in our publick Aſſemblys, Moderate in our Meaſures and Reſolutions, Wiſe and Prudent in our Councils, and Unanimous in Defence of our Queen and Country againſt a popiſh *Pretender*, we ſhall confirm her Majeſty in the Belief, that ſhe has not beſtowed her Favour and Protection upon an Uſeleſs and an Unthankfull people, and our Epiſcopal Diſturbers, like the *Duke of Anjou* at the late Battle in *Spain*, will have gained the Victory, but ha' loſt the Day.

FINIS.

FINIS